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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**UNITED STATES OF AMERICA,** )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
**NOEL M. GARCIA, M.D.,** )  
 )  
Defendant. )

**CASE NO.: 2:24-mj-00953-DJA**

**STIPULATION TO CONTINUE  
BENCH TRIAL  
(Second Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between JASON FRIERSON, United States Attorney; SKYLER H. PEARSON, Assistant United States Attorney, counsel for the United States of America, and MICHAEL BECKER, counsel for defendant NOEL M. GARCIA, that the Bench Trial currently scheduled for June 18, 2025, be vacated and set to a date and time convenient to this court, excluding July 11-14 and July 22-23, as defendant has pre-arranged travel plans.

This Stipulation is entered into for the following reasons:

1. The parties need additional time to engage in negotiations for potential resolution short of trial.
2. The Defendant is not detained pending trial and does not object to the continuance.
3. The parties agree to the continuance.

- 1       4.     The additional time requested herein is not sought for purpose of delay, but rather  
2             to allow the parties sufficient time to prepare for trial or alternatively negotiate a  
3             potential resolution.
- 4       5.     Counsel for defendant reached out to the government that he is currently engaged  
5             in a first-degree felony murder trial in the matter of *State of Colorado v. Orest*  
6             *Schur, Case No. 23CR2041* in the Adams County District Court.
- 7       6.     The Trial is expected to end by June 18<sup>th</sup>, but counsel for defendant will likely still  
8             be waiting for a verdict.
- 9       7.     Moreover, counsel for defendant needs additional time as his focus and energies  
10            were directed to the felony trial in Colorado.
- 11      8.     Additionally, denial of this request for continuance could result in a miscarriage of  
12            justice. The additional time requested by this Stipulation is excludable in computing  
13            the time that the trial must commence pursuant to the Speedy Trial Act, Title 18,  
14            United States Code Section 3161(h)(7)(A), and considering the factors under Title  
15            18, United States Code, Section 3161(h)(7)(B)(i) and (iv).
- 16      9.     This is the second request for continuance of the trial in this case.
- 17      10.    Dr. Garcia has been advised, concurs with this request, and waives time, and asks  
18            this Court to reset a date excluding July 11-14 and July 22-23, due to prearranged  
19            travel plans.  
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22   DATED this 10<sup>th</sup> day of June 2025.

23   Respectfully Submitted,

24   /s/ Michael L. Becker  
25   MICHAEL BECKER  
Attorney for Defendant

/s/ Skyler H. Pearson  
SKYLER H. PEARSON  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

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vs.

NOEL M. GARCIA, M.D.,

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ORDER TO CONTINUE  
BENCH TRIAL

Based on the pending stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties need additional time to prepare for trial or further engage in negotiations for a potential resolution.

2. Defendant is not detained pending trial and does not object to the continuance.

3. The parties agree to the continuance.

4. This continuance is not sought for purposes of delay.

5. Pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(i), denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendant in a speedy trial.

6. The additional time requested by this stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), and considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

1 7. This is the second requested continuance.

2 For all the above-stated reasons, the ends of justice would best be served by a continuance  
3 of the trial date.

4 ORDER

5 IT IS HEREBY ORDERED that the bench trial in the above-captioned matter  
6 currently scheduled for June 18, 2025, at the hour of 9 A.M. be vacated and continued to **August**  
7 **27, 2025, at 9:00 a.m. in courtroom 3A.**

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9 DATED this 10th day of June 2025.

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14 **DANIEL J. ALBREGTS**  
15 **UNITED STATES MAGISTRATE JUDGE**  
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